

### REMARKS

Applicant adds new claims 5-19; therefore, claims 1-19 are all the claims pending in the application. New claims 5-9 are analogous to the original claims 1-4 respectively, but avoid the “means-plus-function” terminology and multiple dependency.

The Examiner rejects claims 1-4 under 35 U.S.C. § 103(a) as being unpatentable over Plunkett in view of Koyama et al. (Koyama). Applicant respectfully traverses this rejection as follows.

According to an aspect claim 1, the level of audio signals applied to a first sound generator (which has a first and second reproducing frequency bands) and a second sound generator (which has the second reproducing frequency band) are adjusted so that a sum of a spectrum average level in the second reproducing frequency band of the first sound generator and a spectrum average level in the second reproducing frequency band of the second sound generator are set equal to a ratio of predetermined target characteristics. Namely, a sum of a spectrum average levels is set to a ration by adjusting signals applied to sound generators.

The Examiner acknowledges that “Plunkett does not disclose using an average level of reproduced sound for adjusting the sound generating means,” and relies on Koyama to supply this acknowledged deficiency (see Office Action, page 3).


Koyama discloses a procedure for adjusting a level of a sound from a speaker after adjusting to a goal curve (see Id., col. 24, lines 41-67). However, Koyama does not disclose, teach or suggest any adjustment relating to a spectrum average level, let alone the specific implementations which take into account a sum of spectrum average levels.

Therefore, Applicant's independent claim 1, as well as their respective dependent claim 3, would not have been obvious from any reasonable combination of Plunkett and Koyama at least for these reasons. Furthermore, since claim 2 states that an adjustment is made so that a ratio of a sum of spectrum average levels to another spectrum average level is set equal to a predetermined value, claim 2 and its dependent claim 4 is patentable for similar reasons.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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